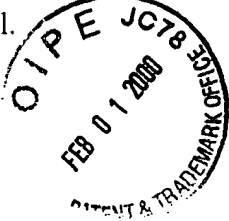


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Erik van der Burg et al.)
App. No.	:	09/435,562)
Filed	:	November 8, 1999)
For	:	METHOD AND DEVICE FOR LEFT ATRIAL APPENDAGE OCCLUSION)
Examiner	:	Unknown)



ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone

App. No. : 09/435,562
Filed : November 8, 1999

(949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Dated: _____

1/7/00

MV MEDICAL DEVICES, INC.

By: _____

Michael D. Lesh, M.D.

Title: Chairman & Chief Executive Officer

Address: 530 Logue Avenue
Mountain View, CA 94043

H:\DOCS\GVH\GVH-1853.DOC
121699

Application No.: 09/435,562
Filing Date: November 8, 1999

COPY

PATENT
Client Code: MVMDINC.001CP1
Page 1

ASSIGNMENT

WHEREAS, We, Erik J. van der Burg, a United States citizen, residing at 587 Dawn Drive, Sunnyvale, CA 94087, Dino De Cicco, a United States citizen, residing at 497 La Conner Drive, Sunnyvale, CA 94087, Andrew G.C. Frazier et al., a United States citizen, residing at 355 N. Wolfe Road, Apt. #218, Sunnyvale, CA 94086, Alex K. Khairkahan, a United States citizen, residing at 1105 Lincoln Avenue, Palo Alto, CA 94301, Marc S. Kriedler, a United States citizen, residing at 645 E. McKinley Avenue, Sunnyvale, CA 94086, Michael D. Lesh, a United States citizen, residing at 301 Monte Vista Avenue, Mill Valley, CA 94941, Chad C. Roue, a United States citizen, residing at 845 Posada Way, Fremont, CA 94536, have invented certain new and useful improvements in a METHOD AND DEVICE FOR LEFT ATRIAL APPENDAGE OCCLUSION for which we have executed an application for Letters Patent in the United States, Application No. 09/435,562 filed on November 8, 1999;

AND WHEREAS, MV MEDICAL DEVICES, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 530 Logue Avenue, Mountain View, CA 94043, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7TH day of JANUARY 2000


Erik J. van der Burg

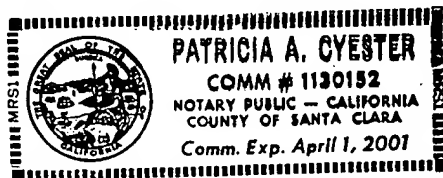
STATE OF Ca.

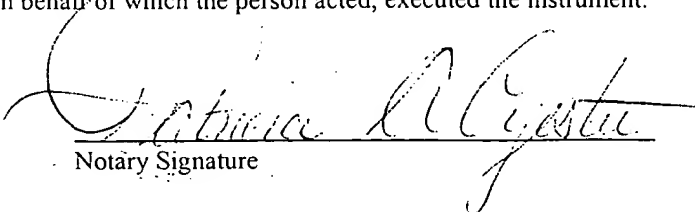
COUNTY OF Santa Clara ss.

On Jan 7, 2000 before me, Patricia A. Cyester, personally appeared Erik J. van der Burg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of Jan 2000 19

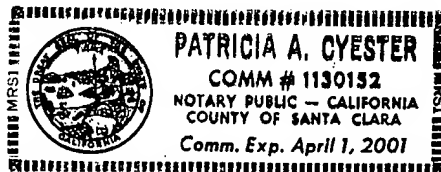
Dino De Cicco
Dino De Cicco

STATE OF Pa.
COUNTY OF Santa Clara ss.

On Jan. 7, 2000, before me, Patricia A. Cyester, personally appeared Dino De Cicco personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Patricia A. Cyester
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of January 2000 19

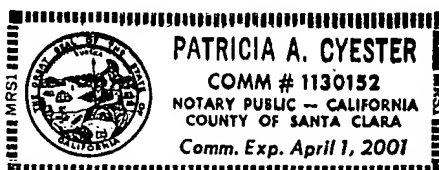
Andrew G.C. Frazier et al.
Andrew G.C. Frazier et al.

STATE OF Pa.
COUNTY OF Santa Clara ss.

On Jan. 7, 2000, before me, Patricia A. Cyester, personally appeared Andrew G.C. Frazier et al. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

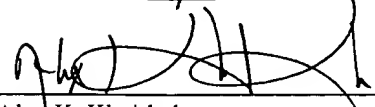
WITNESS my hand and official seal.

[SEAL]



Patricia A. Cyester
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of Jan. 2000

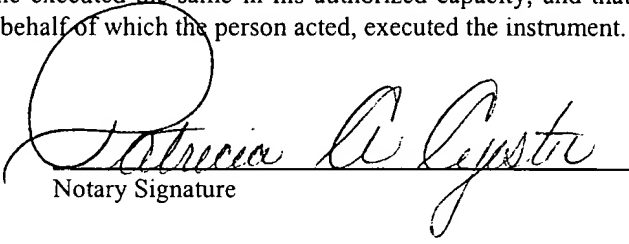

Alex K. Khairkahan

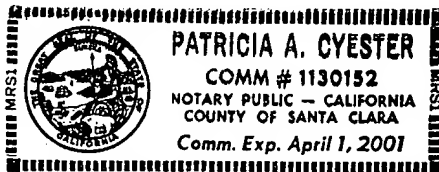
STATE OF Ca.
COUNTY OF Santa Clara ss.

On Jan. 7, 2000, before me, Patricia A. Cyester, personally appeared Alex K. Khairkahan personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

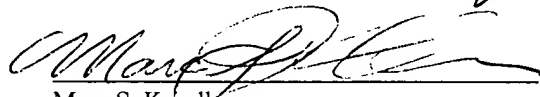
WITNESS my hand and official seal.

[SEAL]


Notary Signature



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of January 2000

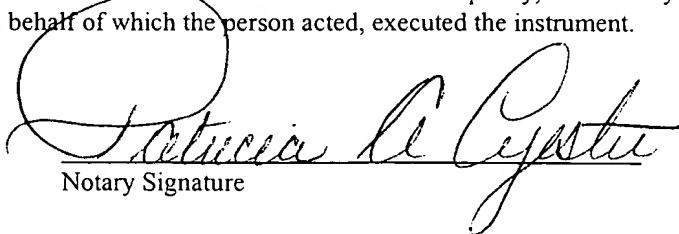

Marc S. Kriedler

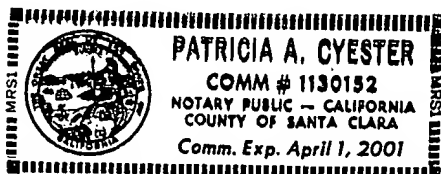
STATE OF Ca.
COUNTY OF Santa Clara ss.

On Jan. 7, 2000, before me, Patricia A. Cyester, personally appeared Marc S. Kriedler personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]


Notary Signature



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of Jun 192000

Michael D. Lesh
Michael D. Lesh

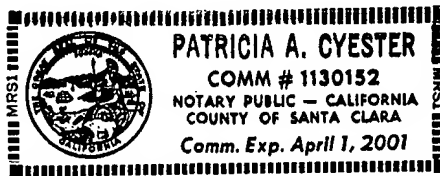
STATE OF Ca
COUNTY OF Santa Clara SS.

On Jan. 7, 2000, before me, Patricia A. Cyester personally appeared Michael D. Lesh personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Patricia A. Cyester
Notary Signature



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of January 2000 19

Chad C. Roue
Chad C. Roue

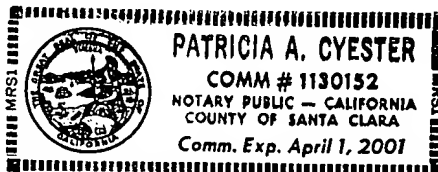
STATE OF Ca
COUNTY OF Santa Clara SS.

On Jan. 7, 2000, before me, Patricia A. Cyester personally appeared Chad C. Roue personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Patricia A. Cyester
Notary Signature



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS

I, the undersigned, do hereby declare that:

☒ I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: MV MEDICAL DEVICES, INC.

ADDRESS OF CONCERN: 530 Logue Avenue, Mountain View, CA 94043

I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

FULL NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Michael D. Lesh, M.D.

TITLE OF PERSON (if not an owner or individual): Chairman & Chief Executive Officer

ADDRESS OF PERSON SIGNING: 530 Logue Avenue, Mountain View, CA 94043

SIGNATURE: 

DATE: 1/7/00

Page 1

Attorney's Docket No. MVMDINC.001CP1

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND DEVICE FOR LEFT ATRIAL APPENDAGE OCCLUSION; Application No. 09/435,562 filed on November 8, 1999;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: 09/399,521

Filing Date: 09/20/99

Status: Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

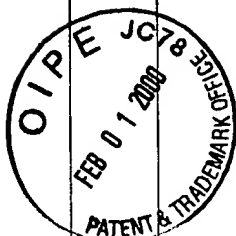
Full name of first inventor: Erik J. van der Burg

Inventor's signature 

Date 1/7/2000

Residence: 587 Dawn Drive, Sunnyvale, CA 94087

Citizenship: United States



Page 2

Attorney's Docket No. MVMDINC.001CP1

Post Office Address: Same as above

Full name of second inventor: **Dino De Cicco**

Inventor's signature



Date

1-7-2000

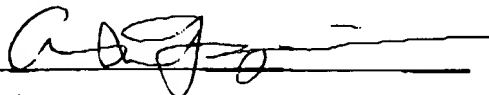
Residence: 497 La Conner Drive, Sunnyvale, CA 94087

Citizenship: United States

Post Office Address: Same as above

Full name of third inventor: **Andrew G.C. Frazier**

Inventor's signature



Date

1/7/00

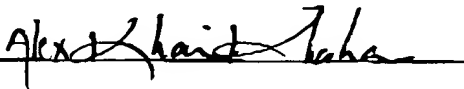
Residence: 355 N. Wolfe Road, Apt. #218, Sunnyvale, CA 94086

Citizenship: United States

Post Office Address: Same as above

Full name of fourth inventor: **Alex K. Khairkahan**

Inventor's signature



Date

1-7-2000

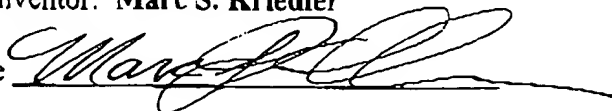
Residence: 1105 Lincoln Avenue, Palo Alto, CA 94301

Citizenship: United States

Post Office Address: Same as above

Full name of fifth inventor: **Marc S. Kriedler**

Inventor's signature



Page 3

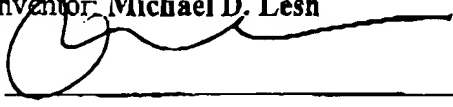
Attorney's Docket No. MVMDINC.001CP1

Date 1-7-00

Residence: 645 E. McKinley Avenue, Sunnyvale, CA 94086

Citizenship: United States

Post Office Address: Same as above

Full name of sixth inventor: **Michael D. Lesh**Inventor's signature Date 1-7-2000

Residence: 301 Monte Vista Avenue, Mill Valley, CA 94941

Citizenship: United States

Post Office Address: Same as above

Full name of seventh inventor: **Chad C. Roue**Inventor's signature Date 1/7/00

Residence: 845 Posada Way, Fremont, CA 94536

Citizenship: United States

Post Office Address: Same as above

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

H:\DOCS\GVH\GVH-1852.DOC
121699